

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 10TH SEPTEMBER 2007 / 19TH BHADRA 1929

WP(C).No. 26574 of 2007(L)

PETITIONER:

ABDU RAHIMAN, S/O MAMMAD HAJI,
AGED 39 YEARS, ARUKANDATHIL HOUSE,
AYANKALAM, THAVANNUR, MALAPPURAM DISTRICT.

BY ADV. SRI.SUNNY MATHEW

RESPONDENTS:

1. THE ADDITIONAL DISTRICT MAGISTRATE,
MALAPPURAM.
2. THE DISTRICT COLLECTOR,
MALAPPURAM.
3. THE SUB INSPECTOR OF POLICE,
KOTTAKKAL POLICE STATION.
4. THE THAVANNUR GRAMA PANCHAYAT,
REPRESENTED BY ITS SECRETARY.
5. STATE OF KERALA, REPRESENTED BY THE
CHIEF SECRETARY TO GOVERNMENT,
SECRETARIAT, TRIVANDRUM.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 10/09/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) NO. 26574 of 2007

Dated this the 10th day of September , 2007

JUDGMENT

Sri. Sunny Mathew, the learned counsel for the petitioner presses for interim orders. The Government Pleader opposes very stiffly submitting that pass which is relied on by the petitioner is not a genuine one.

2. I do not propose to go into the merits of the matter. I dispose of the writ petition itself permitting the petitioner to file an application for interim release of the vehicle before the 2nd respondent District Collector. If the 2nd respondent receives any application for release of the vehicle and the load, he will consider the same and pass appropriate orders at the earliest and at any rate within seven days of receiving the application. The District Collector will be justified in directing interim release of the vehicle by imposing appropriate conditions pending final adjudication of the issue by him, notwithstanding the circumstance that this court did not become inclined to grant interim orders.

**PIUS C. KURIAKOSE,
JUDGE.**

dpk

